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IN THE DISTRICT COURT OF THE UNITED STATES  
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EASTERN DISTRICT OF MISSOURI  
4  
EASTERN DIVISION  
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6 LISA SCHWEPPPE, and )  
7 JILLIAN ZURMUEHLEN, )  
8 VS. ) No. 4:16-cv-00253-JAR  
9 CITY OF PINE LAWN, MISSOURI,)  
10 and STEVEN BLAKENEY, )  
11 Defendants. )  
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17 DEPOSITION OF LISA SCHWEPPPE  
18 ON BEHALF OF THE DEFENDANT CITY OF PINE LAWN  
19 JULY 20, 21 2017  
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1       wasn't paying attention to what the bartender was  
2       doing.

3           Q     Right. Because you were interacting  
4       socially with Jillian and Blakeney at the moment?

5           A     Correct.

6           Q     Okay. Got it. All right. So then she  
7       makes the shots, but she doesn't -- it's not one of  
8       these things like, you know, in the movie Cocktail  
9       or whatever? She's not putting glasses in front of  
10      you and making some big fanfare about it? She's  
11      doing it behind the bar and turning around and  
12      setting them in front of you, right?

13           A     Correct.

14           Q     And you said you think she set them  
15      closer to Blakeney?

16           A     I believe so. Yeah, right. I believe so.

17           Q     When you said she set them closer to  
18      Blakeney, you and Blakeney were sharing a corner of  
19      the bar basically, right?

20           A     Correct.

21           Q     So for her to put them closer to Blakeney  
22      would mean a matter of maybe what? How much closer  
23      to Blakeney?

24           A     I mean a foot or two, or I mean somewhere  
25      a foot or two.

1           Q     So if -- is where I'm sitting now  
2     representative of the distance you were from  
3     Blakeney? Because I think you testified that he was  
4     sitting closer to the corner, and you were sitting  
5     near the corner?

6           A     I mean give or take a few inches, yeah.

7           Q     Okay. It's not a foot, but maybe a matter  
8     of inches?

9           A     No. I'm talking about -- I mean if you're  
10   thinking about drinks this to this (Indicating) is  
11   different. I mean that's a foot (Indicating), so...

12          Q     Sure. And you're talking about a foot  
13   from me, but what I'm saying is were these drinks  
14   out of your reach, is really kind of what I want to  
15   know? Did she put the shots --

16          A     No. I would say they're out of arm reach  
17   because say this is the bar (Indicating), and she's  
18   like here (Indicating). Here's Blakeney (Indicating),  
19   and then he's like, "Here," but I can still reach it  
20   from where you're at.

21          Q     Okay. And -- and I want to make sure  
22   that I understand what you're -- obviously, we don't  
23   have a video going, so it's difficult to do, so I'm  
24   going to embark on an effort to word paint here.  
25   You're telling me that she puts the shots down.

1       They're probably closer to Blakeney than they are to  
2       you, but they're still within your arm reach; is  
3       that a fair characterization?

4           A      I would say that's fair.

5           Q      Okay. And then you made a motion with  
6       your hands. It's hard to pick up on the transcript,  
7       so I am going to try -- I'm going to try my best to  
8       do it, and you can tell me if I'm just out to lunch  
9       or not, okay? You then kind of made this gesture  
10      with both hands like you were grabbing the glasses  
11      and moving them, you know, 6 inches to -- from in  
12      front of me to in front of you or vice versa, right?  
13      I get the sense from that you're saying the next  
14      thing that happened was Blakeney -- the bartender  
15      puts the three shots in front of Blakeney.

16      Blakeney immediately grabs those three shots, maybe  
17      with two hands, maybe with one, I'm not really sure;  
18      I don't really exactly remember how you did it, but  
19      either way, Blakeney grabs these shots and kind of  
20      moves them from in front of him to move them in  
21      front of you and say, "Here you go, gals. Have a  
22      drink"?

23           MR. STRODE: I want to object only to the  
24      extent to the word "immediately." I don't think she  
25      said that.

1 Q (BY MR. HILL) Okay. You can tell me  
2 what the timing is.

3 A Okay. It wasn't like as soon as the  
4 bartender like put the -- the shots down we  
5 immediately were taking the shots. Like I think  
6 there was --

7 Q Yeah.

8 A -- you know -- 30 seconds to -- you know--  
9 I would say more like between 30 seconds to 45  
10 seconds of like just whatever; getting our -- our  
11 drinks in order and like just getting things  
12 situated before we took the shot. I don't remember  
13 watching the shot get laid down and then Blakeney  
14 immediately giving us those and taking it immediately.

15 Q Okay. Okay. And like I said, I'm trying  
16 to -- I'm trying to put into words what gestures it  
17 looks like you were making, so you can tell me all  
18 about the timing. So let's -- let's kind of walk  
19 through that again and see if maybe we can be more  
20 accurate with it.

21 A Okay.

22 Q So the bartender puts the shots nearer to  
23 Blakeney than to you, but still within your arm  
24 reach, correct?

25 A Correct.